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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/711,932	10/13/2004	Bill Yang	14523-US-PA	5931

31561 7590 12/12/2006

JIANQ CHYUN INTELLECTUAL PROPERTY OFFICE
7 FLOOR-1, NO. 100
ROOSEVELT ROAD, SECTION 2
TAIPEI, 100
TAIWAN

EXAMINER

DAO, MINH D

ART UNIT	PAPER NUMBER
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2618

DATE MAILED: 12/12/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/711,932	Applicant(s) YANG, BILL	
	Examiner MINH D. DAO	Art Unit 2618	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date ____ | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ma (US 2003/0076952) in view of Admitted prior Art(APA) indicated in Para 8 of the Specifications.

Regarding claim 1, Ma teaches A device connectable to audio equipment, suitable for connecting a stereo headset and suitable for transceiving signal in a mobile communication device and an audio equipment, wherein the mobile communication device comprises a first transceiver, the audio equipment comprises a first audio-out port, and the device; Abstract and Summary of the invention; also see figs. 1 and 2) comprises:

a second audio-out port for connecting the stereo headset (see figs. 1 and 2);
a second connection connected to the second audio-out port for communicating with the first transceiver to transceive signal provided by the mobile communication device (see figs. 1 and 2); and

an audio-in port connected to the second audio-out port for connecting to the first audio-out port of the audio equipment (see figs. 1 and 2), wherein when a calling signal from the mobile communication device is received by the second connection, the audio signal transmitted to the stereo headset is switched to the audio signal provided by the mobile communication device (see figs. 1 and 2; also see sections [0007-0014]. However, Ma does not mention a Bluetooth device implemented to perform communication between a Bluetooth phone to the headphone. Such limitation is indicated by the APA (Para 8 of the Specifications). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the system of so that it would accommodate a Bluetooth connection between the phone and the headphone as suggested by the above teaching of APA to Ma in order for the combined system to eliminate the inconvenient wired connection between phone and headphone.

Regarding claim 2, the combination of Ma and APA teaches the bluetooth device connectable to audio equipment of claim 1, wherein the audio-in port is connected to the first audio-out port of the audio equipment via a connection cable (see fig. 2 of Ma).

Regarding claim 3, the combination of Ma and APA teaches the bluetooth device connectable to audio equipment of claim 2, further comprising: a microphone connected to the second bluetooth transceiver; and a speaker connected to the second bluetooth transceiver (see fig. 2 of Ma).

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Regarding claim 4, the combination of Ma and APA teaches the bluetooth device connectable to audio equipment of claim 1, further comprising a battery for supplying power to the bluetooth device (see section [0012] of Ma).

Regarding claim 5, the combination of Ma and APA teaches the bluetooth device connectable to audio equipment of claim 1, wherein the audio equipment comprises a MP3 player, a CD player, a TV, a radio, a VCD player, a DVD player, a laptop computer, a Personal Digital Assistant (PDA), a car stereo, or a home stereo system (see fig. 2 of Ma).

Regarding claim 6, the rejection of claim 1 is herein incorporated. In addition, the combination of Ma and APA also teaches a microphone connected to the second bluetooth transceiver (see fig. 2 of Ma and Para 8 of APA).

Regarding claim 7, it is obvious that the combination of Ma and APA is able to include a power source within the Bluetooth headphone to supply power to the unit.

Regarding claim 8, the rejection of claim 5 is herein incorporated.


Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MINH D. DAO whose telephone number is 571-272-7851. The examiner can normally be reached on 8:30 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, MATTHEW ANDERSON can be reached on 571-272-4177. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Minh Dao (MAD)
AU 2618
December 7, 2006



Matthew Anderson
Supervisor AU 2618